

**MINUTES
FREMONT CITY COUNCIL REGULAR MEETING
JULY 13, 2010
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

1.1 Call to Order: Mayor Wasserman called the meeting to order.

1.2 Flag Salute: Councilmember Natarajan led the salute to the flag.

1.3 Roll Call: Present: Mayor Wasserman, Vice Mayor Wieckowski, Councilmembers: Natarajan, Harrison, and Chan.

1.4 Announcements by Mayor/City Manager

2. CONSENT CALENDAR

- * **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

- * **2.2 Approval of Minutes** – None.

- * **2.3 Mayor Wasserman opened consideration of Approval of Upgrade to AT&T/Plant CML-Eads Dispatch Call Center Equipment**

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council authorized the City Manager or designee to execute a purchase order through the State Master Purchase Agreement with AT&T for the 9-1-1 technology upgrade in the amount of \$282,007.50, to be billed to the State for the nine primary dispatch positions, and a second purchase order for \$84,866.36 from 501 PWC8649 (Police Department Seismic Retrofit) for the six gun range/training classroom positions.

Ayes:	Mayor Wasserman, Vice Mayor Wieckowski, Councilmembers: Natarajan, Harrison and Chan
Noes:	None

Absent: None
Abstain: None

*** 2.4 Mayor Wasserman opened consideration of Approval of Plans and Specifications and Award of a Construction Contract for the Teen Center Plaza Paving Project, City Project No. PWC 8502**

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council:

1. Approved the plans and specifications for the Teen Center Plaza Paving project.
2. Accepted the bid and awarded the construction contract to Suarez and Munoz Construction, Inc., for the base bid amount of \$436,112.90 plus Alternate #1, Alternate #2, Alternate #3; and Alternate #5, for a total alternate subtotal of \$90,420 and a grand total contract amount of \$526,532.90.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.5 Mayor Wasserman opened consideration to Authorize the City Manager to Execute an Amendment Increasing the Current Contract with PMC World by \$90,000 to a total of \$189,000 for Project Management Services related to the former NUMMI property**

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council authorized the City Manager or his designee to increase the contract with PMC World by \$90,000 to a total of \$189,000 for project management services related to the former NUMMI property.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.6 Mayor Wasserman opened consideration of a Public Hearing (Published Notice) to Consider Modifications to Fees for Taxi Driver Permits, New and Annual Renewal**

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council:

1. Held a public hearing.
2. Adopted Resolution 2010-45 updating the Taxi Drive Fees related to Police Department regulatory and permitting services, as set forth in this report.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.7 Mayor Wasserman opened consideration of a Public Hearing (Published Notice) to Consider a Conditional Use Permit to Allow One Freeway-Oriented Sign in the Industrial Area Portion of the Fremont Merged Redevelopment Project Area**

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council:

1. Held public hearing.
2. Found that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Guideline 15302, Replacement or Reconstruction because the proposed freeway-oriented sign is located on the same site as the existing sign and has substantially the same purpose as the sign it will replace.
3. Found the Auto Mall Pylon Sign is in conformance with the relevant provisions contained in the City's existing General Plan, and that the project conforms to the goals, objectives, and policies of the Industrial Portion of the Fremont Merged Redevelopment Project Area Plan.
4. Approved a conditional use permit for the Auto Mall Pylon Sign, as shown on Exhibit "A," subject to findings and conditions in Exhibit "B."

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS

3.1 Proclamation: 2010 National Night Out

3.2 Newsreel Update of the Progress on the BART Tunnel Under Lake Elizabeth by the Essanay News Service

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications

Linda Susoev expressed various community concerns.

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action – None.

7. OTHER BUSINESS

7.1 Mayor Wasserman opened consideration of Designating the Area Surrounding and Including the former NUMMI Plant Site as the “South Fremont/Warm Springs Survey Area;” Authorizing Staff to Proceed with a Redevelopment Plan Adoption Process; and Approving Execution of Cooperation and Reimbursement Agreement for Costs of Plan Preparation

Staff responded to questions from Councilmembers.

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski,

1. Adopted Resolution 2010-46 designating a Redevelopment Survey Area for the South Fremont/Warm Springs Area for Redevelopment study purposes; and
2. Adopted Resolution 2010-47 authorizing staff to proceed with the preparation of a Redevelopment Plan for the proposed South Fremont/Warm Springs Redevelopment project pursuant to the California Community Redevelopment Law (CRL), authorizing staff to prepare any necessary environmental documentation for the Redevelopment Plan pursuant to the California Environmental Quality Act (CEQA), and making certain findings and determinations in connect therewith; and
3. Adopted Resolution 2010-48 authorizing the Redevelopment Agency of the City of Fremont to borrow monies from the City of Fremont and approving an agreement for repayment of such loan and reimbursement to the City for costs incurred for preparation of a Redevelopment Plan for the proposed South Fremont/Warm Springs Redevelopment project; and
4. Approved appropriation from unallocated Fund 501 fund balance of \$236,500 to 501 PWC 8742 Redevelopment South Fremont/Warm Springs Survey Area.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

7.2 Mayor Wasserman opened consideration of Options of Modifying Street Tree Removal Criteria and Providing Direction to Staff for Amendment of Removal Criteria in the Street Tree and Sidewalk Maintenance Ordinance

Transportation and Operations Director Jim Pierson provided an overview of the three options for Council's consideration. Staff responded to questions from Councilmembers. There were no speakers. Councilmembers provided comment.

On a motion by Vice Mayor Wieckowski, seconded by Councilmember Natarajan, the City Council selected Option 1 with no change to the current Ordinance, including providing direction to staff to be flexible in using the street tree removal criteria in determining whether a tree poses a substantial hazard to people or property and can therefore be removed.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals

- 8.1.1 Mayor Wasserman opened consideration of the Reappointment of Dottie DiFranco to the George W. Patterson House Advisory Board

By consensus, the City Council reappointed Dottie DiFranco to the George W. Patterson House Advisory Board for a term to expire December 31, 2013.

- 8.1.2 Vice Mayor Wieckowski Referral: Request the City Council to Consider a Council-Sponsored Ballot Measure to set Term Limits for Mayor and City Councilmembers at Twelve (12) Consecutive Years of Service and Re-Establish Eligibility to Serve after a Break in Service

Vice Mayor Wieckowski provided an overview of his referral to Council to consider a Council-sponsored ballot measure to set term limits for Mayor and Councilmembers at 12 consecutive years and re-establish eligibility to serve after a break in service. Mayor Wasserman opened public comment. Gus Morrison expressed support for extending term limits. There were no other speakers. Mayor Wasserman closed public comment. Vice Mayor Wieckowski responded to questions from Councilmembers. Councilmembers provided comment.

On a motion by Vice Mayor Wieckowski, staff was directed to prepare a report for Council to consider submitting a ballot measure to the voters at the general election on November 2, 2010 to seek voter approval to amend term limits for mayor and councilmembers to 12 consecutive years and re-establish eligibility to serve after a break in service. The motion died due to lack of a second.

8.2 Oral Reports on Meetings and Events – None.

- 9. ADJOURNMENT:** There being no further business, Mayor Wasserman adjourned the meeting at 9:15 p.m.

Attest:

Approved:

Dawn G. Abrahamson, City Clerk

BOB WASSERMAN, Mayor